



[Handwritten signature]

Attorney Docket No. RAMTC-003A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Laurence M. Sylvester, et al.) Art Unit: 1714
Serial No.: 10/735,276) Examiner: TBD
Filed: December 12, 2003)
For: Improved Rubber Modified Asphalt)
Cement Compositions and Methods)

Transmittal of Information Disclosure Statement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either:
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under §1.311, whichever occurs first.

CERTIFICATION OR FEE

- A. Included with this transmittal is
- i. ☐ a certification (set forth below) in accordance with 37 C.F.R. § 1.97(e). (If for any reason the certificate set forth below should be

unsatisfactory, the Commissioner is provisionally authorized to charge the \$210 fee (37 C.F.R. § 1.17(p)) to Deposit Account No. 50-0878. A duplicate copy of this sheet is enclosed.)

OR

- ii. ☐ the attached fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).
- 3. ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, but before, or simultaneously with the payment of the issue fee. In accordance with the requirements of 37 C.F.R. § 1.97(d):
 - i. Set forth below is a certification as specified in 37 C.F.R. § 1.97(e).
 - ii. Applicant submits the fee set forth in 37 C.F.R. § 1.17(p). (\$130.00).

CERTIFICATION

(Required if 2Ai or 3 above is marked)

4. I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. § 1.97(e)(1).

OR

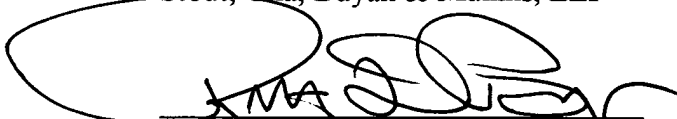
- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. § 1.97(e)(2).

5. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-0878. A duplicate copy of this petition is enclosed.

Respectfully submitted,

Stout, Uxa, Buyan & Mullins, LLP

Date: May 12, 2004

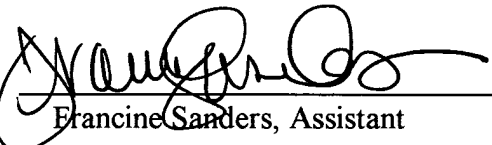

Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite 300
Irvine, CA 92618
Telephone: (949) 450-1750, Facsimile: (949) 450-1764
email: rbuyan@patlawyers.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 12, 2004.

Dated: May 12, 2004

By: 
Francine Sanders, Assistant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:)	
Laurence M. Sylvester, et al.)	Art Unit: 1714
)	
Serial No.: 10/735,276)	Examiner: To Be Determined
)	
Filed: December 12, 2003)	
)	
For: Improved Rubber Modified Asphalt)	
Cement Compositions and Methods)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R Section 1.56, Applicants wish to call the attention of the Examiner to the references that are listed on the attached PTO forms 1449. No copies of the references are being provided per 37 C.F.R. 1.98(d), since all of the references were cited by or submitted to the Office in parent applications Serial No. 10/164,350 and 10/652,725.

No representation is made that the references disclosed herein legally constitute prior art, or that more relevant references are not available. The disclosed references are printed in the English language and/or accompanied by an Abstract published in the English language.

The disclosed references, when taken alone or in combination, are not believed to disclose nor make obvious the invention as claimed in the subject application.

Respectfully submitted,

Dated: May 12, 2004

Robert D. Buyan
Registration No. 32,460
STOUT, UXA, BUYAN & MULLINS, LLP
4 Venture, Suite 300
Irvine, CA 92618

Application Number 10/164,350

(Use several sheets if necessary)

Group Art Unit 1714

EXAMINER

DATE _____

NAME

CLASS

SUBCLASS

RULING DATE
IF APPROPRIATE

Burris et al.

DATE _____

COUNTRY

CLASS

SUBCLASS

TRANSLATION

YES

NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to the applicant.

Application Number 10/735,276

Applicant **Laurence M. Sylvester** et al.

(Use several sheets if necessary)

Filing Date 12/12/03

Group Art Unit 1714

EXAMINER
ENTRANCE

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.